

Notice of Allowability

Application No.

10/678,971

Examiner

Chuc D. Tran

Applicant(s)

MUELLER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 9, 2007.
2. ☒ The allowed claim(s) is/are 4,6-61,63-82,84-116,120,122-178,180-199,201-226 and 228-234.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 4/19/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

THO PHAN

PRIMARY EXAMINER

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date:
5/17/04,10/25/04,2/14/05,3/28/05,8/29/05,1/23/06,6/29/06,8/8/06,2/9/07.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Teja, Jr. on April 19, 2007.

The application has been amended as follows:

Claims 89, 93 and 106, line 1, "the at least one engine" has been changed to - - the lighting system - -;

Claim 46, lines 5 and 12, "control system" has been changed to - - controller - -;

Claim 75, lines 4 and 11, "control system" has been changed to - - controller - -;

Claim 151, line 3, "control system" has been changed to - - controller - -;

Claim 163, lines 4 and 12, "control system" has been changed to - - controller - -;

Claims 63-66, 69-71, 82, 180-183, 186-188, 192 and 199, line 1, "control system" has been changed to - - controller - -;

Claims 89, 93 and 106, line 1, "at least one light engine" has been changed to - - light system - -;

Claim 109, line 6, "wherein the at least one conduit is placed in viewing path in front of and at least partially blocking the at least one element so as to produce coordinated layered" has

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been changed to - - wherein the at least one conduit is placed in viewing proximity to the at least one element so as to produce coordinated layered - -;

Claim 226, line 6, "is placed in viewing path in front of and at least partially blocking the at least one element so as to produce illumination effects" has been changed to - - is placed in viewing proximity to the at least one element so as to produce coordinated layered illumination effects - -.

Drawings

2. The drawings were received on 10/3/2003 and 4/7/2006. These drawings are accepted.

Allowable Subject Matter

3. Claims 4, 6-61, 63-82, 84-116, 120, 122-178, 180-199, 201-226, 228-234 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose or suggest in combination with the remaining claimed limitation: at least one light engine of the plurality of light engines is configured to generate light within and along a length of at least one conduit of the assembly, such that at least some of the light passes through the outer surface of the at least one conduit t along the length of and around a perimeter of the at one conduit; wherein the at least one light engine includes at least one light source and at least one controller to control the at least one light source, such that the light has at least one controllable characteristic in claims 4 and 120, claims 6-34 and 122-150 are allowed since they are dependent on claims 4 and 120.

Prior art fails to disclose or suggest in combination with the remaining claimed limitation: at least one light engine having a light source and a controller and being disposed proximate to at least one of the first end and the second end of the conduit, and the at least one

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light engine being configured to generate light within and along a length of the conduit, such that at least some of the light passes through the outer surface along the length of and around a perimeter of the conduit; wherein the light source comprises LEDs selected from the group consisting of red, green, blue, amber, white, orange, and UV LEDs; wherein the light engine is an addressable light engine in claims 35 and 151, claims 36-45, 49-61, 63-74, 81-82, 84-108, 152-162, 166-178, 180-199 and 201-225 are allowed since they are dependent on claims 35 and 151.

Prior art fails to disclose or suggest in combination with the remaining claimed limitation: at least one light engine having a light source and a controller and being disposed proximate to at least one of the first end and the second end of the conduit, and the at least one light engine being configured to generate light within and along a length of the conduit, such that at least some of the light passes through the outer surface along the length of and around a perimeter of the conduit; wherein the light source comprises LEDs selected from the group consisting of red, green, blue, amber, white, orange, and UV LEDs; and an interface for delivering a control signal to the controller in claims 46 and 163, claims 47-48 and 164-165 are allowed since they are dependent on claims 46 and 163.

Prior art fails to disclose or suggest in combination with the remaining claimed limitation: at least one light engine having a light source and a controller and being disposed proximate to at least one of the first end and the second end of the conduit, and the at least one light engine being configured to generate light within and along a length of the conduit, such that at least some of the light passes through the outer surface along the length of and around a perimeter of the conduit; wherein the light source comprises LEDs selected from the group

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consisting of red, green, blue, amber, white, orange, and UV LEDs; wherein the controller includes a data facility for storing data for the light engine in claim 75, claims 76-80 are allowed since they are dependent on claim 75.

Prior art fails to disclose or suggest in combination with the remaining claimed limitation: at least one conduit lit by a first color-changing illumination from a first light engine having a first controller and at least one first LED; and at least one element lit by a second color-changing illumination from a second light engine having a second controller and at least one second LED; wherein the at least one conduit is placed in a viewing proximity to the at least one element so as to produce illumination effects that represent the combination of the at least one conduit and the at least one element in claims 109 and 226, claims 110-116 and 228-234 are allowed since they are dependent on claims 109 and 226.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiry

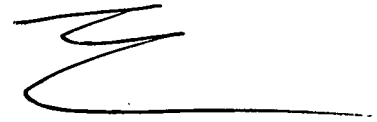
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuc D. Tran whose telephone number is (571) 272-1829. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on (571) 272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TC
April 25, 2007



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PRIMARY EXAMINER